

**NEVADA DEPARTMENT OF CORRECTIONS
ADMINISTRATIVE REGULATION
750**

**INMATE GENERAL CORRESPONDENCE AND MAIL
(TEMPORARY)**

Supersedes: AR 750 (12/17/03; and Temporary, 04/04/05)
Effective Date: 12/08/10

AUTHORITY

NRS 209.131; 209.365

RESPONSIBILITY

1. All inmates are responsible to comply with mail and correspondence procedures. All correspondents are responsible for the contents of the mail being sent into and out of the Department.
2. It is the responsibility of the designated mailroom staff at each facility/institution to ensure mail is processed in a correct manner.
3. An Associate Warden or Facility Manager has the primary responsibility in supervising daily mail operations.

750.01 GENERAL PROVISIONS

1. All mail shall be processed by the current State and OSHA biohazard guidelines and procedures.
 - A. Each institution/facility will designate a secure mail room location.
 - B. The mailroom:
 - (1) Should be open eight (8) hours per day;
 - (2) Should be open five (5) days per week; and,
 - (3) Will be closed on Holidays and weekends.
 - C. All institutions/facilities will designate a secure area(s) and/or secure mailboxes for outgoing inmate mail.
 - (1) Mail will only be collected by staff.
 - (2) Mail will be collected at least once everyday except weekends and holidays.

(3) A regular set schedule of mail collection will be established.

D. No personal delivery of inmate mail and correspondence will be authorized except when legal requirements dictate that service of process is made in person. Staff will not pick up or deliver such items.

E. Each institution will include in its orientation procedure the requirements of this Administrative Regulation.

F. There are no limits placed on the number of letters an inmate may send or receive, unless a specific restriction is authorized by this regulation.

G. Change of address/forwarding mail

(1) If an inmate has transferred to another institution or facility, First Class general correspondence and privileged correspondence, in accordance with Administrative Regulation 722, will be forwarded via the US Postal Service. Second and Third Class mail will be forwarded via intra-departmental mail.

(2) Released inmates' first class mail will be forwarded for a period of thirty (30) days from date of release if address is known.

(a) If address is not known, the mail will be returned to sender.

(b) Inmates have the primary responsibility to notify the mail officer and correspondents of forwarding address if discharging or paroling, or if being transferred to another agency/state jurisdiction.

(c) Mail, other than first class, including publications, will not be forwarded.

H. Holding of mail

(1) First class mail should be held no longer than one working day for inmates who are confined in local hospitals or jails, and who are expected to return to the institution/facility from which they departed.

(2) For absences or expected absences of longer than one (1) day, first class mail should be forwarded to the hospital or jail if the inmate is located in an out-of-town facility.

(3) Staff may deliver first class mail from the facility mailroom directly to the inmate who is housed in an in-town facility.

(4) All other mail will be held until the inmate's return, example magazines.

I. Distribution of mail

(1) Inmates will not pick up or deliver mail.

- (2) No mail will be left on tables or in other areas unattended where inmates have access.
- J. The following records will be maintained by staff and may be kept electronically:
- (1) Incoming or outgoing registered, insured or certified mail log, Form DOC-3088;
 - (2) Unauthorized Mail Log, Form DOC-3086-Revised;
 - (3) Inmate to inmate approved correspondence log, Form DOC-3087-Revised;
 - (4) Censorship of mail log, Form DOC-1740-Revised; and
 - (5) Mail monitoring log, Form DOC-3022
- K. Violations of rules or policies, which govern mail procedures, may result in suspension or termination of correspondence between the parties involved.
- L. Refer to the Department's Administrative Regulation 722, for specific procedures for managing inmate privileged correspondence.
- M. Refer to Administrative Regulation 711, for package procedures.
- N. Inmates may correspond in their primary language.
- O. Third class mail:
- (1) Subscriptions to non-profit organizations are not considered to be third class mail.
 - (2) Only third class mail which is addressed with the inmate's commitment name and identification number will be distributed.
 - (3) Distribution of third class mail is subject to the restrictions outlined in this procedure or any other regulation.
- P. No inmate will open any mail.

750.02 PROCESSING OUTGOING GENERAL CORRESPONDENCE

1. Envelopes – all envelopes must be properly addressed including:
- A. Stamped with the institution/facility sent from, along with the date of mailing on back of the envelope.
 - B. The return address portion of the envelope must accurately reflect the inmate's name, back number, address and facility.

2. Outgoing mail of inmates must go through the U.S. Postal Service and requires the appropriate postage.
3. Correspondence to Department officials and staff may be routed through the interdepartmental mail services.
4. The Warden/designee may prohibit outgoing mail under circumstances which include, but are not limited to:
 - A. Correspondence with minors when their legal guardians object, in writing, stating they wish the correspondence to be prohibited.
 - B. Correspondence to individuals who have complained in writing of having been sent lewd, threatening, or similarly offensive correspondence by the inmate.
 - C. Court order such as the Judgment of Conviction (JOC) prohibiting contact with the victim(s).
5. An inmate should receive a written notice from an official of the institution/facility when a particular correspondence has been prohibited for any reason.
6. An attempt by an inmate to correspond with a prohibited correspondent will result in a disciplinary action.
7. Indigent Inmate Postage:
 - A. Indigent inmates will be provided with postage for a maximum of two personal letters per week.
 - B. The mailroom officer will write the agency's budget account number in the area of the envelope where the stamp would normally be placed. Mail will be sent to the State Mailroom for processing. Facilities/Institutions located in remote areas will purchase stamps for this purpose.
8. Indigent-at-the-moment Inmates Postage:
 - A. Indigent-at-the-moment inmates are not eligible for free personal letters and must submit a brass slip with their correspondence for mailing.
 - B. Inmates whose accounts are not accessible to them, i.e., frozen for longer than 30-days, will be considered to be indigent at-the-moment inmates.
9. The removal of any item from outgoing mail will be considered censorship – (see section 750.05 of this regulation).

750.03 PROCESSING INCOMING GENERAL CORRESPONDENCE

1. All incoming general correspondence, to include any mail that is marked "Return to Sender", will be opened for the inspection of contraband, unauthorized items including cash, coin, checks and money orders, and scanned by mailroom staff. Disposal of such items will follow section 750.07 of this regulation.
2. Inmates will not be allowed to receive, from any source, confidential information. This includes but is not limited to personal information about:
 - A. Current or past inmates
 - B. Any other person without their knowledge and written consent
3. Envelopes must be properly addressed.
 - A. Mail must be addressed to the inmate in the name under which he was committed. If an inmate obtains a legal name change, both names must be noted.
 - B. The inmate's name should be properly spelled.
 - C. The inmate's identification number must be noted.
 - D. Envelopes must have a return name and address in the upper left corner or will be unauthorized. Return address labels will not be allowed.
 - E. Reasonable efforts will be made to deliver mail if the inmate's name is correct, but the identification number is wrong, or if no identification number is present.
 - F. If the inmate's name is misspelled and there is no identification number or incorrect identification number, the mail will be returned unopened, to sender.
4. Mail is to be sorted before opening to ascertain if the inmate is in the Department.
5. Items that are allowed to be received in first class mail are limited to:
 - A. Enclosures will not exceed 10 pages per envelope besides the letter. Enclosures such as articles or ads from newspapers or magazines, or printouts from websites, etc... are limited to one article/advertisement which may not exceed 10 pages. Pamphlets are limited to one per envelope.
 - B. Personal photographs
 - (1) An inmate may receive a maximum of ten personal photographs per envelope. This DOES NOT include articles or advertising with non-personal inset pictures.
 - (a) Maximum size is 8" X 10".
 - (b) Computer generated photographs are to be printed on paper no larger than standard 8 ½ "X 11" and may contain 1 to 10 photographs. Each photograph counts as one of the

ten allowed. For example, 10 photographs on one page constitute the 10 photograph limit.

(c) All personal photographs will have the inmate's name and NDOC number on the back.

(2) Photographs of nude individuals are permitted under limited conditions.

(a) Photographs depicting sexual activity are prohibited.

(b) Inmate's name and back number will be noted on back of each photo.

(c) Nude photographs **will not be displayed** or traded by inmates.

C. Religious literature will be limited to one piece per envelope (may include, but not limited to, pamphlets).

D. Greeting cards

(1) No musical or electronic type.

(2) Limit one per envelope.

(3) No larger than 8" X 10".

E. Personal identification such as birth certificates, social security documents, marriage licenses and military documentation will be forwarded to the caseworker for disposition.

F. Publications, Catalogues and Magazines

(1) All subscription items must be prepaid.

(2) Must not be detrimental to the security, good order, or discipline or which facilitates criminal activity, including but not limited to:

(a) Content depicts or describes procedures for the construction or use of weapons, ammunition, bombs or incendiary devices;

(b) Content depicts, encourages, or describes methods of escape from correctional facilities, or contains blueprints, drawings or similar descriptions of prison institutions;

(c) Contents depicts or describes procedures for the brewing of alcoholic beverages, or the manufacture of drugs;

(d) Content is written in code;

(e) Content describes or encourages activities, which may lead to the use of violence or promotes hate groups or gang activities;

(f) Content encourages or instructs in the commission of criminal activity or depicts criminal activity;

(g) Display realistic pictures of guns or knives suitable for use in making of facsimile weapons; and

(h) Content is sexually explicit material, which by its nature poses a threat to the security, good order, rehabilitation or discipline of the institution, or facilitates criminal activity.

(3) The institution/facility who rejects any publication must:

(a) Advise the inmate in writing of specific reasons for rejection; and

(b) Send a copy of the rejection memorandum to the publisher.

(c) The publisher may request that an independent review of the rejection be completed by the Deputy Director within 20 days (plus 3 days for mailing) of the date the rejection memorandum is mailed to the publisher.

(4) Inmate may appeal rejection through grievance process within 10 days of receiving this notice.

(5) A magazine or publication may not be rejected solely because its content is religious, philosophical, political, social, or sexual or because its content is unpopular, repugnant, or does not agree with commonly held beliefs and practices.

G. Each Institution/Facility will establish a Publication Review Committee to review all publications prior to the initial rejection of the publication following the above guidelines.

(1) Committee shall include a minimum of three (3) members.

(2) Committee shall meet at least once per week, or as needed.

(3) One member of the committee will be the Associate Warden or above (at the camps, the Facility Supervisor (Sgt) or above).

6. Calendars may be received within the limitations of this regulation:

A. No metal.

B. Maximum size approximately 11" X 18".

C. Nudity or sexually suggestive photographs on calendars are not allowed due to nude/sexually suggestive photographs are not allowed to be displayed.

D. Must come from an approved vendor or publisher, or in a factory sealed wrapper.

7. Any envelope or correspondence, magazine or book that has evidence of adulteration or a foreign substance such as stickers, lipstick, or perfume will not be issued to the inmate.

A. Unopened adulterated items will be returned to sender and an unauthorized notice will not be given to the inmate.

B. Any items that have been opened and found to have adulterated contents will be unauthorized and the inmate will be notified. Refer to the section of this regulation that deals with disposal of unauthorized items.

C. Inserts within a magazine will be removed prior to issue.

750.04 OTHER MAIL/CORRESPONDENCE

1. Correspondence between incarcerated persons

A. Correspondence between all incarcerated persons will be limited to immediate family members.

(1) Legal correspondence between incarcerated persons of the Nevada Department of Corrections is allowed if they are co-defendants or co-plaintiffs in active post conviction case(s) or by court order.

(2) Correspondence privileges between incarcerated persons of the Nevada Department of Corrections in common law relationships will not be permitted.

(3) Any inmate in one of the above categories, who wishes to correspond with an inmate in another institution, must obtain a correspondence request form from their caseworker.

(a) After the form is completed, it will be returned to the inmate's caseworker who, in turn, will forward it to the Warden.

(4) The Warden will approve or disapprove the request. If the request is disapproved, copies will be made for all concerned with the reasons for disapproval noted. Approved correspondence must have the approval in writing of both Wardens.

(5) If the Warden approves the correspondence request, this request will be forwarded to the Warden of the other institution for approval/disapproval.

(6) Once approved, no further approval is necessary within the Department even if the inmate is transferred.

(7) Once appropriate signatures are obtained, copies will be sent to the Warden of the other facility, the inmate, and the Mailroom. The original will be placed in the inmate's I-File. The mailroom officer will maintain a permanent record of all inmate correspondence approvals.

- (8) All inmate-to-inmate correspondence must be sent via U.S. Postal Service.
2. All social security or supplemental security checks mailed to inmates are to be returned to the Social Security Administration address indicated regardless of the geographic location of the institution/facility.
 3. All IRS checks received will be forwarded to a designated person within Inmate Services. This staff member will then contact IRS for approval of deposits to the inmate's account.
 4. All mail addressed to any program, Prison Industries/Silver State Industries, Education, Chaplain, etc., at an institution/facility will be given to the staff supervisor of that program. Regardless of how the mail is addressed, the supervisor will open all mail. Inmates will not open any mail.

750.05 MONITORING OF INMATE GENERAL CORRESPONDENCE AND MAIL

1. Incoming and/or outgoing general correspondence shall be monitored by designated staff when there is a reasonable suspicion that it contains evidence of criminal activity or activity that is a threat to the safety and security of the institution/facility.
2. All requests for monitoring an inmate's mail must be submitted in writing to the Warden/designee for prior approval detailing:
 - A. Reason for request;
 - B. Approximate length of monitoring (if known); and
 - C. If necessary, temporary verbal authorization may be given by the Warden.
3. A Mail Monitoring Log, Form DOC-3022 shall be maintained in the designated mailroom by the Mailroom Officer, which will detail the following:
 - A. Inmate's full name and identification number;
 - B. Staff who authorized the monitoring;
 - C. Date monitoring was initiated/ended;
 - D. Name of staff authorized to monitor the mail.
4. Monitored general correspondence shall not be held for more than 24 hours.
 - A. Mail may be copied and original forwarded to inmate or to recipient.
 - B. If mail is held for more than 24 hours, censorship procedures must be followed.
5. General correspondence between inmates incarcerated in the Department may be monitored at any time without receiving prior permission.

6. Privileged correspondence cannot be monitored. If there is a reasonable suspicion that the correspondence contains contraband or evidence of criminal activities, censorship procedures shall apply as described in the Department's Administrative Regulation 722.

750.06 CENSORSHIP OF INMATE GENERAL CORRESPONDENCE AND MAIL

1. The Warden or his authorized designee may prohibit outgoing mail under circumstances which include, but are not limited to:

A. Correspondence with minors when their legal guardians object, in writing, stating they wish the correspondence to be prohibited.

B. Correspondence to individuals who have complained in writing of having been sent lewd, threatening, or similarly offensive correspondence by the inmate.

C. Correspondence that would be detrimental to the security, good order, or discipline of the institution.

D. Protection of the public.

E. Suspected participation in criminal activity.

2. An inmate shall receive a written notice from an official of the institution/facility when a particular correspondence has been prohibited for any reason.

3. An attempt by an inmate to correspond with a prohibited correspondent will result in a disciplinary action.

4. All incoming or outgoing general correspondence or mail may be opened for the inspection of contraband.

5. If inmate incoming or outgoing mail is censored, a written notice, the Mail Censorship Form, DOC-3021 shall be completed to provide the inmate a written notice, signed by the Warden authorizing the censorship and stating the reasons for censorship will be given to the inmate and sender unless the sender is a current inmate and the letter is unauthorized. In such instances a Notice of Charges will be made.

6. Mailroom staff shall maintain Censorship of Mail Log, DOC-1740.

7. The inmate must be notified of the right to appeal the censorship through the grievance process.

8. Mail cannot be censored until the Notice of Censorship is approved.

9. Censorship may be initiated if conditions exist which include but are not limited to the below:

A. The letter contains threats of physical harm against any person, or threats of criminal activity.

- B. The letter threatens blackmail or extortion.
 - C. The letter addresses either the introduction of contraband into the institution or sending of contraband out of the institution.
 - D. The letter concerns plans to escape.
 - E. The letter concerns plans for activities in violation of institutional rules.
 - F. The letter concerns plans for criminal activity.
 - G. The letter is in code and the staff reader does not understand its contents.
 - H. The letter solicits gifts or goods or money from anyone other than family.
 - I. The letter contains information, which if communicated would create a clear and present danger of violence and physical harm to a human being.
 - J. Publications that describe the making of firearms and explosive devices.
 - K. The letter discusses gang related subjects.
10. The Warden will review or cause to be reviewed the written records of censored mail.
- A. These records should be reviewed on a monthly basis.
 - B. It is the responsibility of the mailroom officer to keep accurate written records on censorship of inmate mail.
 - C. At a minimum, the records will reflect that:
 - (1) There are sufficient grounds for censoring the mail.
 - (2) The reasons for censoring the mail relate to legitimate security interests of the institution and inmate's adjustment.
11. Should an inmate wish to appeal the decision of censorship this appeal shall be handled through the Departmental grievance procedure in accordance with the Department's Administrative Regulation 740.
12. Censored mail should not be held longer than one working day unless placed into evidence. A notification will be given to the inmate if such action is taken.

750.07 DISPOSAL OF UNAUTHORIZED ITEMS RECEIVED

- 1. An inmate will receive an Unauthorized Mail Notification, Form DOC-1518 completed by the mailroom officer.

2. An inmate will have ten (10) days from the date he receives (signs/refuses to sign) this notification to inform the mailroom officer in writing the disposition of the unauthorized items.
3. The inmate grievance process will be used to appeal this decision.
 - A. The Grievance Coordinator shall notify the mail room upon receipt of the appeal.
 - B. Items should be held until the grievance process is completed.
 - C. Upon completion of the grievance process, the Grievance Coordinator will contact the mailroom with the disposition of the inmate's appeal.
 - D. If the grievance is denied the item will be disposed of or mailed out. If the appeal is upheld, the approved item(s) will be given to the inmate. In both instances, the disposition will be noted on the Unauthorized Mail Form, DOC-3086.
4. All items sent out will be at inmate expense.
 - A. Any item with a value of \$10.00 or more must be sent certified mail.
 - B. If the inmate is indigent or indigent at the moment, a brass slip will be submitted by the inmate.
 - C. If the inmate does not wish to send items out, they will be disposed of per this procedure.
5. All money, stamps, other such negotiable instruments not forwarded by the inmate will be sent to the Administrative Services Officer (ASO)/designee.
 - A. The ASO/designee will forward to Inmate Services for placement in the Inmate Welfare Fund (IWF).
 - B. A receipt will be obtained.
 - C. A copy of the receipt will be attached to DOC Form 1518, Unauthorized Mail Notification.
6. In disposing of any contraband discovered (narcotics, etc.), the Department's Administrative Regulation 458 will be followed.
7. When the Mailroom officer disposes of an item, a staff witness is required. The date/time disposal, how it was disposed of, and reason for destruction (cite the AR) should be noted on the Unauthorized Mail Notification, Form DOC-1518.

Note: Usually all items will be shredded or donated to a local charity.
8. A copy of the Unauthorized Mail Notification Form will be placed in the I-File.

750.08 ORDERING BOOKS

1. All inmates should be allowed to order books and must come directly from approved vendors or publishers.
 - A. Books may be sent in their primary language.
 - B. Books contents must comply with limitations set forth in this regulation.
2. A Book Request, Form DOC-3037 must be filled out listing the title(s) and author(s) of the book(s). This request form must be approved by the Publication Review Committee before ordering the book(s).
3. Books must be paperback only.
4. All books received must be prepaid.
 - A. Upon receipt all books will be subject to review for content by the Publication Review Committee.
 - B. All books identified as not complying with procedures will not be issued and the inmate will receive a notification of unauthorized property.
 - C. All books in compliance may be moved to the property room for disbursement, and the invoice placed into the inmate's property file.
 - D. If disapproved, inmate will have 30 days to send out or dispose of the book per the Department's Administrative Regulation 711.
 - E. Inmate may appeal the disapproval through the grievance process. Items will be held pending the decision/outcome of the grievance process.
5. The number of books in an inmate's possession will comply with the Department's Administrative Regulation 711, Inmate Personal Property procedure, and institutional operating procedures.
 - A. Numbers of books in an inmate's possession may vary due to safety and security concerns at individual Institutions and facilities.
 - B. All excess books and/or unauthorized property must be disposed of prior to ordering any additional books.
6. Upon receipt the inmate's name and NDOC number will be place on the inside cover prior to issuing to the inmate.
7. Memberships to book clubs will not be allowed.
8. All books must be sent First Class Mail.

9. All books must be received within 60 days of the date of approval.
10. All books received without prior approval will be returned to sender.

750.09 CORRESPONDENCE COURSES/CLASSES

1. Correspondence courses may be ordered using the same procedure as books.
2. Correspondence courses must be prepaid.
3. These courses are self-edification/self-help only and are not recognized by NDOC's Education-Program Division.
4. These courses are not eligible for merit credits unless otherwise approved by the Director.
5. CD's and written materials are allowed and must be in compliance with AR 711.
6. Other equipment or DVD's are not allowed.

APPLICABILITY

1. This regulation requires Operating Procedures for each institution and facility
2. This regulation requires an audit



Howard Skolnik, Director

12/7/10
Date